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**ATTORNEY DOCKET NO. 14014.0346U1
PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

EGAN *et al.*

Serial No. 09/762,538

Filed: July 19, 2001

For: DIFFERENTIATION OF NON-INSULIN
PRODUCING CELLS INTO INSULIN
PRODUCING CELLS BY GLP-1 OR
EXENDIN-4 AND USES THEREOF

Art Unit: 1646

Examiner: Jiang, Dong

Confirmation No. 5705

**PETITION UNDER 37 C.F.R. § 1.78(a)(3) TO ACCEPT AN UNINTENTIONALLY
DELAYED CLAIM FOR PRIORITY UNDER 35 U.S.C. § 119(e)**

VIA FACSIMILE

(703) 308-0294

ATTN: Examiner D. Jiang

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

NEEDLE & ROSENBERG, P.C.

Customer No. 36339

May 6, 2003

Refund Ref:
05/28/2003

0030011464

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Am Exp.: XXXXXXXXXXXX1005

A priority claim for the above-referenced patent application was not made in a timely

manner in accordance with 35 U.S.C. § 119(e). Applicants hereby submit to the Commissioner a

Petition under 37 C.F.R. § 1.78(a)(3) to Accept an Unintentionally Delayed Claim for Priority,

Adjustment date: 05/28/2003 CKHLOK
05/15/2003 JHASHING 00000001 09762538
01 FC:1454 -1300.00 OP

The entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2) until
the filing of a grantable petition pursuant to 37 C.F.R. § 1.78(a)(3) was unintentional. Applicants

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included the claim to the provisional application in the International Application and inadvertently failed to include it upon entry of the national phase.

A Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$1,410.00 (\$1,300.00 (fee for a Petition to Accept an Unintentionally Delayed Claim for Priority, pursuant to 37 C.F.R. § 1.17(t)), and \$110.00 (fee for one month extension of time)) is enclosed. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.




Tina W. McKeon
Registration No. 43,791

NEEDLE & ROSENBERG, P.C.
Customer No. 36339
(404) 688-0770
(404) 688-9880 (fax)

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent via facsimile to: Examiner D. Jiang at (703) 308-0294, Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on the date shown below.


Tina W. McKeon

May 6, 2003
Date

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MAY 20 2003

OFFICE OF PETITIONS

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 5-27-03

2 Serial/Patent # 19/762538

3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
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<input type="checkbox"/>	Petition		5-6-03	\$ 1300
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<input type="checkbox"/>	Maintenance			\$
<input type="checkbox"/>	Assignment			\$
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7 TOTAL AMOUNT OF REFUND

\$ 1300

8 TO BE REFUNDED BY:

☐ Treasury Check P.C.

☒ Credit Deposit A/C #:

9

1	4	--	0	6	2	9
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10 REASON:

☐ Overpayment

☐ Duplicate Payment

☐ No Fee Due (Explanation):

Petition dismissed as moot.

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: Karen Creasy

TITLE: Pets. Exmr.

SIGNATURE: Karen Creasy

PHONE: 305-8859

OFFICE: DAC for Patents

***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****

APPROVED: [Signature]

DATE: 5/28/03

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: